

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	
	)	
<b>V.</b>	)	<b>CR. No.: 2:06cr14-WKW</b>
	)	
<b>MOSES PENNIC, III</b>	)	

**MOTION TO APPOINT FEDERAL DEFENDER OFFICE AS COUNSEL**

COMES NOW the Office of the Federal Defenders, Middle District of Alabama and Kevin L. Butler, and submits the following motion:

1. Mr. Pennic was previously represented by Barry Teague, Esquire, in this matter.
2. In light of Mr. Teague's passing and Mr. Pennic's lack of financial resources, undersigned counsel and the Office of the Federal Defenders requests that appointment of counsel be permitted by the Court. See attached Financial Affidavit.

WHEREFORE, for good cause and in the interest of justice, undersigned counsel requests this motion be granted.

Respectfully submitted,

s/ Kevin L. Butler  
KEVIN L. BUTLER  
First Assistant Federal Defender  
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Montgomery, Alabama 36104  
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**CERTIFICATE OF SERVICE**

I hereby certify that on August 24, 2006, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

David Cooke, Esquire  
Assistant United States Attorney  
One Court Square, Suite 201  
Montgomery, Alabama 36104

Respectfully submitted,

s/ Kevin L. Butler  
KEVIN L. BUTLER  
First Assistant Federal Defender  
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